

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 77183

Carl Leonard Geis, Jr.
6342 Columbine Drive
Indianapolis Indiana 46224

610 Meadow Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 2, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-312; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, failure to remove damaged shed and fallen tree on residential property zoned DR 5.5 known as 610 Meadow Road, 21206.

On May 14, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds

A. A Correction Notice was issued on May 6, 2010 for removal of accumulation of debris, remove collapsed shed and fallen tree from rear of this residential property. This Citation was issued on May 14, 2010.

B. Photographs in the file show a demolished shed behind the house, apparently because a tree fell on the shed. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310. The house is a two story residence with siding. This is an investment property. Respondent is required by law to maintain the exterior of the house at least in conformance with county code standards, including keeping all exterior structures and surfaces "in good repair and in a structurally sound condition." BCC Section 35-5-302.

C. Notes in the file by Inspector Seidelman state that he talked with Respondent by telephone on June 1, 2010 and was advised that Respondent is abandoning the house to tax sale due to unpaid property taxes, and is now living in Indiana. Because Respondent has clearly notified the County that he will not correct the violation, this Order will authorize the County to remove the demolished shed and the fallen tree debris and correct the violations, at Respondent's expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that at any time after the date of this Final Order, the County may enter the property for the purpose of removing the demolished shed, the fallen tree, and any other junk, trash, and debris, at the expense of the property owner.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14th day of June 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf